

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:09-CR-460 CAS
)	
CATHY M. GIESEKER,)	
)	
Defendant.)	

FIRST AMENDED FINAL ORDER OF FORFEITURE

WHEREAS, on July 1, 2010, this Court entered a Final Order of Forfeiture based upon the Defendant's guilty plea to a Superseding Indictment and a signed Plea Agreement wherein the Defendant agreed to the forfeiture of certain property, and with Settlements having been reached with all potential third-party petitioners, the Court ordered that the following property be forfeited to the United States to be disposed of according to law:

- (a) Real Property located at 35424 Audrain Road 708, Martinsburg, Missouri more particularly described as :

Legal Description: 50-07-01 167A - E ½ NW & W 12 NE (EX RD R/W)
Audrain County
Permanent Parcel No. 261010000002 Single Family Residence, plus 167 acres;

- (b) Real Property located at AR 708, Audrain County, Martinsburg, Missouri more particularly described as :

Legal Description: 51-07-36 124 AC - W ½ SE & SE SE (EX RD R/W)
Audrain County
Permanent Parcel No. 1773600000060901549 Vacant Land - 124 acres;

- (c) Real Property located at Hwy B & Audrain Road 448

Legal Description: 52-07-31 78 AC - E ½ NE (EX RD R/W) Audrain County
Permanent Parcel No. 129310000001 Vacant Land - 78 acres;

- (d) Real Property located at Audrain Road 424

Legal Description: 51-07-07 77 AC - E ½ SW (EX RD R/W) Audrain County
Permanent Parcel No. 173070000008 Vacant Land - 77 acres;

- (e) Real property located at 8778 Hwy B, Rush Hill, MO 65280 more particularly described as:

158 acres (Plat Section 17, Township 51N, Range 7W) T51-R7-S17, S ½ NW & N ½ SW (ex Rd R/W), Census tract 9502, Map reference 09-01414, Property address - Highway B, City - Rush Hill, County – Audrain, State – Missouri, Zip Code – 65280;

- (g) Personal property consisting of vehicles, or the sale proceeds of same, more particularly described as:

1. 1998 Semi Tractor VIN: 1XKADR9X0WR789403,
2. 1997 Semi Tractor VIN: 1XKADR9X3VR732031,
3. 2000 Semi Tractor VIN: 1XKAD68X9YR842537,
4. 1998 Semi Tractor VIN: 1XKADR9X6WR760214,
5. 1998 Semi Tractor VIN: 1XKDDB9X9WJ773607,
6. 2007 Livestock Trailer VIN: 1Z9SG242870169264,
7. 2008 Utility Trailer VIN: 5L3AX16278L000342,
8. 2003 Utility Trailer VIN: 4YMUL081X3M010471,
9. 2002 Utility Trailer VIN: 1W1MAFYA92A233831,
10. 2003 Semi Tractor VIN: 1XKWDB9X03R383601,

11. 1995 Semi Tractor VIN: 1M1AA13Y2SW044977,
12. 2003 Grain Semi Trailer VIN: 1W1MAFYA43A236931,
13. 2003 Grain Semi Trailer VIN: 1W1MAFYA236614,
14. 2005 Grain Semi Trailer VIN: 1W1MAFZA85A240451,
15. 2009 Grain Semi Trailer VIN: 4WWAFY493614154,
16. 2004 Ford Explorer VIN: 1FMZU73K54ZA84525,
17. Kawasaki ATV VIN: JKBVFHA154B536839.

AND WHEREAS, the Final Order of Forfeiture included a money judgment in favor of the United States in the amount of \$27,000,000.00, which upon the forfeiture and sale of the above-mentioned property resulted in an outstanding balance of approximately \$25,788,385.68;

AND WHEREAS, on June 13, 2011, this Court entered a Preliminary Order of Forfeiture for Substitute Assets pursuant to the provisions of Rule 32.2(e) of the Federal Rules of Criminal Procedure, and Title 21, United States Code, Section 853(p), based upon the Court's previous Final Order of Forfeiture and entry of a money judgment;

AND WHEREAS, in accordance with Federal Rule of Criminal Procedure 32.2(b)(6) and Title 21, United States Code, Section 853(n)(1), notice of the Preliminary Order of Forfeiture for Substitute Assets was posted on an official internet government forfeiture site (www.forfeiture.gov) for at least 30 consecutive days, beginning on August 17, 2011, and ending on September 15, 2011, and further notified all third parties of the right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property, and, to the extent

practicable, direct notice was sent to any person who reasonably appeared to be a potential claimant with standing to contest the forfeiture;

AND WHEREAS, the Court has been advised that no third-party petitions have been filed claiming an interest in the substitute property sought to be forfeited;

Accordingly,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

1. That the following property belonging to Defendant is hereby condemned and forfeited as to all parties, and full right, title, and interest is hereby vested in the United States of America to be disposed of according to law:

a. \$7,216.87 seized from account ...3121 at American Funds.

2. That upon the liquidation of said property, the proceeds realized shall be applied to satisfy, in part, the remaining balance of the defendant's money judgment.

3. That this Court shall retain jurisdiction for the purpose of enforcing this Order and permitting amendments hereto as set forth in Federal Rule of Criminal Procedure 32.2.

The Clerk of Court shall send a copy of this Order to the United States Marshal.

A handwritten signature in black ink, appearing to read "Charles A. Shaw", written over a horizontal line.

CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 28th day of December, 2011.